

IFW 2655

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Latimer

Application Serial No.: 10/054,246

Filed: 01/23/2002

For: Dynamic Time Division Multiplexing of Voice Signals Into
Ethernet Data Streams Over a WAN Circuit

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST
(REVOCATION OF PRIOR POWERS)

As assignee of record of the entire interest of the above-identified:

☒ application,
☐ patent

REVOCATION OF PRIOR POWERS OF ATTORNEY

all powers of attorney previously given are hereby revoked and

NEW POWER OF ATTORNEY

I/we hereby appoint all of the following attorneys and agents of Thomas, Kayden, Horstemeyer & Risley, LLP, who are listed under the USPTO Customer Number shown below as my/our attorneys and agents to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith, recognizing that the specific attorneys and agents listed under that Customer Number may be changed from time to time at the sole discretion of Thomas, Kayden, Horstemeyer & Risley, LLP, and request that all correspondence be addressed to the address filed under the same USPTO Customer Number.

24504

I hereby certify that this correspondence is being deposited with the United States Postal Service, as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450, on Sept. 3, 2004.


Julie Campbell

Direct correspondence and telephone calls to:

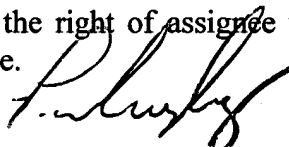
Scott A. Horstemeyer, Esq.
THOMAS, KAYDEN, HORSTEMEYER & RISLEY, L.L.P.
100 Galleria Parkway, Suite 1750
Atlanta, Georgia 30339
770-933-9500

ASSIGNEE OF ENTIRE INTEREST

PARADYNE CORPORATION
P.O. Box 2826
8545 126th Avenue, North
Largo, Florida 33773

ASSIGNEE CERTIFICATION

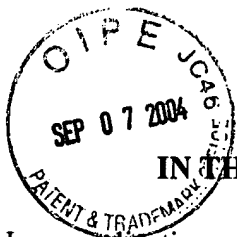
The certification under 37 C.F.R. §3.73(b) establishing the right of assignee to take action is attached hereto along with documentation evidencing same.



Patrick M. Murphy
Senior Vice President

Date: 8-25-04

Docket No.: 061607-1840



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Latimer

Application Serial No.: 10/054,246

Filed: 01/23/2002

For: Dynamic Time Division Multiplexing of Voice Signals Into Ethernet Data Streams Over a WAN Circuit

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

**CERTIFICATE UNDER 37 C.F.R. §3.73(b)
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

1. The assignee of the entire right, title and interest hereby seeks to take action in the PTO in this matter.

IDENTIFICATION OF ASSIGNEE

2. The assignee of this matter is:

PARADYNE CORPORATION

P.o. Box 2826

8545 126th Avenue North

Largo, Florida 33773

PERSON AUTHORIZED TO SIGN

3. Scott A. Horstemeyer
Attorney for Assignee

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on

Sept. 3, 2004

Julie Campbell

4. A chain of title from the inventor(s) to the current assignee is shown below:
- a. From: Kenneth J. Latimer
To: Net To Net Technologies
Recorded in PTO: Reel: 012824 Frame: 0389
 - b. From: Net To Net Technologies
To: Paradyne Corporation
Recorded in PTO: See Exhibit A evidencing assignment that
has already been filed. No Reel and Frame has been assigned as of yet.

DECLARATIONS

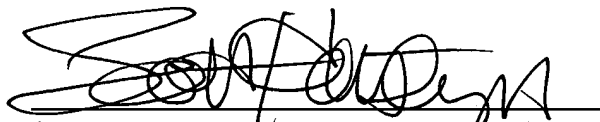
5. I, the undersigned, have reviewed all the documents in the chain of title of the

☒ application
☐ patent

matter identified above and, to the best of my knowledge and belief, title is in the assignee identified above.

6. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

7. I, the person signing below, aver that I am empowered to sign this statement on behalf of the assignee.


Scott A. Horstemeyer, Reg. No. 34,183

Tel. No. 770-933-9500
Customer No.: 24504

**THOMAS, KAYDEN, HORSTEMEYER
& RISLEY, L.L.P.**
100 Galleria Parkway, Suite 1750
Atlanta, Georgia 30339-5948

Docket No. 061607-1840



Serial No.: 10/054,246

Filed: 01/23/2002

Patent No.:

Issued:

Applicant: Latimer

Title: Dynamic Time Division Multiplexing

Docket No.: 061607-1840

C/M Date: 08/23/04

EM No.:

Due Date:

PATENT AND TRADEMARK OFFICE
STAMP HEREON ACKNOWLEDGES
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Fee Transmittal Page

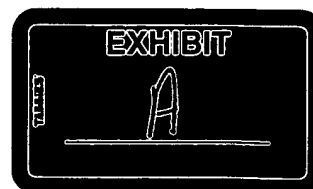
- ☐ RCE Application Transmittal Pg.
- ☐ Missing Parts Response
- ☐ Copy of Missing Parts Notice
- ☐ Resp. Incomplete Application Papers
- ☐ Copy - Not. Incomplete Appl. Papers
- ☐ Declaration & Power of Attorney
- ☐ Preliminary Amendment
- ☐ Small Entity Status Claimed
- ☐ IDS/Form 1449
- ☐ Cited Reference(s) ()
- ☐ Assignment/Assign't Cover Sheet
- ☐ Terminal Disclaimer
- ☐ Amendment Transmittal Page
- ☐ Amendment: ☐ Restriction
- ☐ Non-Final ☐ Final
- ☐ After Not. Allow ☐ Unentered
- ☐ Response to Advisory Action
- ☐ Petition for EOT to:
- ☐ Claim of Priority & Sub. Cert. Copy
of Foreign Application
- ☐ Other:

USPTO STAMP

- ☐ Request to Rescind Non-Pub.
- ☐ Petition to Make Special
- ☐ Status Inquiry (in duplicate)
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- ☐ Appeal Brief (in Triplicate)
- ☐ Request for Refund
- ☐ Request for Correction F/R
- ☐ Notice of Continuation Applic.
- ☐ Issue Fee Trx. ☐ In Dupl.
- ☐ Sheets of Drawings
- ☐ Formal ☐ Informal
- ☐ Letter/Trx. To Draftsman
- ☐ Prior to NOA ☐ W/I NOA
- ☐ Request for Cert. Of Correct.
- ☐ Certificate of Correction x 2
- ☐ Maintenance Fee Transmittal
- ☐ 3.5 ☐ 7.5 ☐ 11.5
- ☐ in duplicate

Person Mailing: JLC

Responsible Atty: SAH



SEP 07 2004

RECORDATION FORM COVER SHEET
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE
U.S. Patent and Trademark Office

To the Director of the United States Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies)

Net to Net Technologies, Inc.

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: Paradyne Corporation

Street Address: 8545 126 Avenue, N.
Largo, Florida 33773Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other:

Execution Date: August 2, 2004

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent application No.(s)

60/262,722
60/384,946
10/054,246

B. Patent No.(s)

Additional numbers attached? Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Scott A. Horstemeyer
Thomas, Kayden, Horstemeyer & Risley, L.L.P.
100 Galleria Parkway, Suite 1750
Atlanta, Georgia 30339-5948

6. Total number of applications/patents involved: [3]

7. Total fee (37 CFR 3.41) \$ 120.00

- ☒ Enclosed
☐ Authorization to charge credit card (attached)

8. Deposit Account Number:

16-0255

(Attach duplicate copy of this page if paying by Deposit Account)

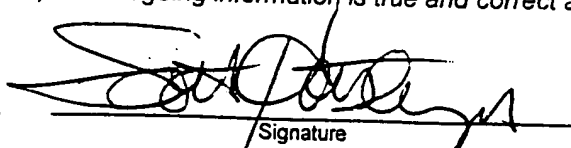
DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Scott A. Horstemeyer

Typed Name



Signature

08/23/04

Date

Docket #: 061607-1840

Total number of pages including cover sheet, attachments, and document: [4]

Mail documents to be recorded with required cover sheet information to:
Mail Stop Assignment Recordation Services
Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450

**ASSIGNMENT
OF PATENT APPLICATIONS**

WHEREAS, Net to Net Technologies, Inc., a Delaware corporation, having a place of business at 112 Corporate Drive, Pease International Tradeport, Portsmouth, NH 03801, hereinafter referred to as ASSIGNOR, has/have invented certain new and useful inventions as described and set forth in the patent applications set forth in attached Schedule A.

WHEREAS, Paradyne Networks, Inc., having a place of business at 8545 126 Avenue, N. Largo, Florida 33773, hereinafter referred to as ASSIGNEE, is desirous of acquiring ASSIGNOR'S interest in and to said inventions, and in and to any applications seeking patent protection for the inventions in the U.S. and any foreign countries ("applications").

NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN: Be it known that, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by ASSIGNOR, ASSIGNOR has sold, assigned and transferred and does hereby sell, assign and transfer unto ASSIGNEE, and ASSIGNEE'S successors and assigns, (a) the entire right, title and interest, for the United States of America, in and to said inventions and said applications and all the rights and privileges in any application and under any and all patents that may be granted in the U.S. for said inventions, including all corresponding provisional, continuation, continuation-in-part, divisional, reissue, and reexamination applications; and (b) the entire right, title and interest in and to said inventions and said applications for all countries foreign to the U.S., including all rights of priority arising from them, and all the rights and privileges under any and all forms of protection, including patents, that may be granted in said countries foreign to the U.S. for them.

ASSIGNOR authorizes ASSIGNEE to make application for such protection in ASSIGNEE's own name and maintain such protection in any and all countries foreign to the U.S., and to invoke and claim for any application for patent or other form of protection for said Inventions, without further authorization from ASSIGNOR, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.


ASSIGNOR hereby consents that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of ASSIGNEE to apply for patent or other form of protection for said Inventions, said utility application, or said provisional application and to claim the aforesaid benefit of the right of priority.

ASSIGNOR requests that any and all patents for said inventions be issued to ASSIGNEE in the U.S. and to ASSIGNEE in all countries foreign to the U.S., or to such nominee as ASSIGNEE may designate.

ASSIGNOR covenants and agrees that, when requested, ASSIGNOR shall, without charge to ASSIGNEE but at ASSIGNEE'S expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable, or convenient in connection with the patent

applications, patents, or other forms of protection of said invention(s), and for the defense and protection thereof if challenged in the court of law.

NET TO NET TECHNOLOGIES, INC.

By: 

Name: Steve Roedel

Title: CFO

Date: 8/2/04

PARADYNE NETWORKS, INC.

By: _____

Name: _____

Title: _____

Date: _____

applications, patents, or other forms of protection of said invention(s), and for the defense and protection thereof if challenged in the court of law.

NET TO NET TECHNOLOGIES, INC.

By: _____

Name: _____

Title: _____

Date: _____

PARADYNE NETWORKS, INC.

By:  _____

Name: Patrick M. Murphy

Senior Vice President

Chief Financial Officer

Title: _____

Secretary and Treasurer

Date: _____

SCHEDULE "A"

Patent Title	Application Type	Application / Patent No.	Filed
Dynamic time division multiplexing of voice signals into ethernet data streams over a wan circuit.	Provisional	60/262722	1/19/01
Dynamic time division multiplexing of voice signals into ethernet data streams over a wan circuit.	Non-Provisional	10/054246	1/22/02
Dynamic time division multiplexing of voice signals into ethernet data streams over a wan circuit.	European Patent Office	02702046.0	1/22/02
Dynamic time division multiplexing of voice signals into ethernet data streams over a wan circuit.	Patent Cooperation Treaty	US02/01719	1/22/02
Multiplexing Ethernet Packets Over Multiple WAN Circuits	Provisional	60/384946	5/31/02
Multiplexing Ethernet Packets Over Multiple WAN Circuits	Patent Cooperation Treaty	US03/17117	5/30/03